

AMENDMENTS TO THE DRAWINGS

A formalized set of figures is provided. No new matter is added.

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REMARKS

This paper is filed in response to the Office Action mailed on July 21, 2006. Presently, Claims 1, 5, 7, 15, 17, 20-30, 32-44, 47, 48, 52, 53 and 63-65 are pending in the application. According to the Office Action, Claims 20-30, 32-44, 47, 48, 52, 53, 63 and 65 are withdrawn from consideration. Applicant believes that Claim 64 is withdrawn rather than Claim 63, since Claim 63 cannot be both withdrawn and rejected.

Claims 1, 5, 7, 15, 17 and 63 are rejected. Reconsideration of Claims 1, 5, 7, 15, 17 and 63 is respectfully requested.

The Objection to the Figures

The drawings are objected to because the figures are purportedly poor in quality and not drawn so as to clearly show all features in the figures. Corrected drawing sheets in compliance with 37 C.F.R. § 1.21(d) are required in reply to the Office Action to avoid abandonment of the application.

A corrected set of figures is appended hereto. No new matter is added. Accordingly, the withdrawal of the objection to the figures is respectfully requested.

The Rejection of Claims 1, 5, 7, and 15 Under 35 U.S.C. § 103(a)

Claims 1, 5, 7, and 15 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over Sinofsky in combination with Rosen et al., Deak and the admitted prior art of employing a filter for reducing exposure to undesirable wavelengths.

A *prima facie* rejection requires a suggestion or motivation either in the references or in the knowledge generally available to combine references or to modify a reference, a reasonable expectation of success, and all the claim limitations must be taught or suggested by the prior art.

As now amended, Claim 1 recites the conducting medium is enclosed by a wall having a substantially constant inner diameter from the focusing lens to the distal end, and by a wall at the

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distal end being concavely curved on the inside to permit reflection and concentration of the sound waves by the inside of the distal wall. Support for the amendment can be found in the specification at page 13, 2nd para. and in FIGURE 4. Not only does the concavely curved distal wall provide further reflection and concentration of the sound waves, but, in addition, the concavely curved distal end of the device is also better suited for a medical purpose as the insertion of the device through passageways of anatomy is made easier.

The device of Deak in Figure 9 fails to teach or suggest at least the newly claimed features. The device of Deak has a tapered guide 12 enclosing the medium 7 along the sides, which focuses and concentrates the acoustic energy density to a point near the window 24, against which the microbubbles 23 cluster. The flat window 24 lines the inside of the distal end of the medium 7 and the device has a flat surface with sharp corners on the outside. Accordingly, the presence of the flat window 24 at the distal end fails to further provide reflection and concentration of the sound waves by the distal end and the sharp corners on the exterior is disadvantageous for use as a medical device.

Accordingly, the withdrawal of the rejection of Claims 1, 5, 7, and 15 is respectfully requested.

The Rejection of Claims 17 and 63 Under 35 U.S.C. § 103(a)

Claims 17 and 63 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over Sinofsky in combination with Rosen et al., Deak and the admitted prior art of employing a filter for reducing exposure to undesirable wavelengths. Claims 17 and 63 are dependent from Claim 1. Accordingly, for at least this reason, applicant submits that Claims 17 and 63 are allowable.

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The Telephone Interview

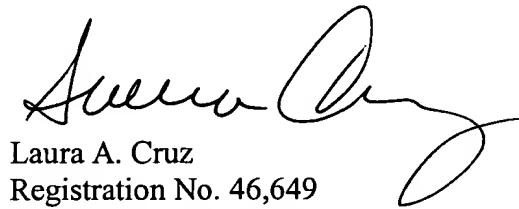
Attorney for applicant conducted a telephone interview with Examiner Shay on October 17, 2006. Proposed amendments to Claim 1 to distinguish over the prior art references were discussed. No agreement was reached.

CONCLUSION

In view of the foregoing amendments and remarks, applicant submits that Claims 1, 5, 7, 15, 17 and 63 are allowable. If the Examiner has any further questions or comments, the Examiner may contact the applicant's attorney at (206) 695-1725.

Respectfully submitted,

CHRISTENSEN O'CONNOR
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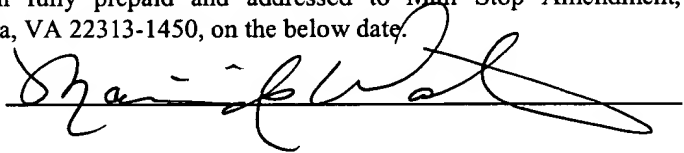


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first-class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date:

October 23, 2006



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